IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

JUDGMENT

SB CIVIL MISC. APPEAL NO.3364/2005
Purshottam Sharma
V/s
The Oriental Insurance Company Ltd. & Ors.

Date of order : : 16.10.2006

HON'BLE MR. JUSTICE P.S. ASOPA

Mr.Ritesh Jain, for the appellant.

This is an appeal filed by the injured appellant through his father Kailash Chandra Sharma for enhancement of compensation against the award dated 3.9.005 in MAC case No.120/01 passed by the MACT, Neem Ka Thana, Sikar.

The facts, in brief, of the case are that on 6.5.2001 at about 5.30 pm, the appellant claimant was coming towards temple of Santoshi Mata with his family members then at at time, one Jeep No.RJ-23-C-1970 came running towards, hit the appellant claimant. As a result of the aforesaid accident, the appellant claimant suffer many injuries.

The submission of counsel for the appellant is that considering the nature of multiple injuries, the Claims Tribunal ought to have awarded more amount on

th head of injuries, which has been awarded by the Tribunal as Rs.40,000/-. He also submits that he has suffered a lot on account of hospitalisation of 12 days.

The Claims Tribunal has considered the aforesaid aspect and awarded Rs.40,000/- for injuries and in all Rs.35,000/- has been awarded for medicines and nutritious food. In all award of Rs.75,000/- has been awarded considering the fact that there was 1% permanent disability, but the injuries were of multiple nature.

I have gone through the award of the Claims Tribunal and further considered the submission of counsel for the appellant.

In my view, The Claims Tribunal has considered all the relevant aspect and passed the appropriate award. I do not find any infirmity in the award dated 3.9.2005.

The appeal fails and is dismissed.

(P.S. ASOPA) J.

ummed/-